

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LALAINÉ GIL,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, *et al.*,

Defendants.

Case No.: 2:23-cv-02103-GMN-BNW

**ORDER ADOPTING  
REPORT AND RECOMMENDATION**

Pending before the Court is the Order and Report and Recommendation (“R&R”), (ECF No. 3), from United States Magistrate Judge Brenda Weksler, which recommends dismissing with prejudice Plaintiff’s claims for false imprisonment and false arrest as duplicative of her illegal arrest claim, as well as dismissing with prejudice her kidnapping and ransom claims. The Magistrate Judge further recommends dismissing Defendant Clark County Detention Center (“CCDC”) with prejudice.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made if the Magistrate Judge’s findings and recommendations concern matters that may not be finally determined by a magistrate judge. D. Nev. R. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s R&R where no objections have been

1 filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

2 Here, no objection was filed, and the deadline to do so has passed. (*See* R&R, ECF No.  
3 51) (setting March 22, 2024, deadline for objections). The *pro se* Plaintiff did, however, file an  
4 Amended Complaint on March 15, 2024, which the Court will liberally construe as a proper  
5 objection to the R&R. Plaintiff’s Amended Complaint does not reallege her previous claims  
6 for kidnapping and ransom, and thus the Court ADOPTS the R&R’s recommendation of  
7 dismissal with prejudice as to those claims.

8 Plaintiff realleges her false imprisonment claim, and again adds the Clark County  
9 Detention Center as a Defendant, so the Court reviews the Magistrate Judge’s determinations  
10 *de novo*. First, Plaintiff’s false imprisonment claim was again raised in the context of her  
11 unlawful arrest. Therefore, the Court agrees with the Magistrate Judge that Plaintiff’s claim for  
12 false imprisonment is duplicative of her claim for unlawful arrest, so the Court ADOPTS the  
13 R&R’s recommendation to dismiss Plaintiff’s false imprisonment claim. Plaintiff has already  
14 asserted her claim for unlawful arrest. Second, the Magistrate Judge recommended the  
15 dismissal of Defendant CCDC with prejudice because CCDC is a building and is therefore not  
16 subject to liability under Section 1983. The Court accepts this determination by the Magistrate  
17 Judge and affirms the dismissal of CCDC.

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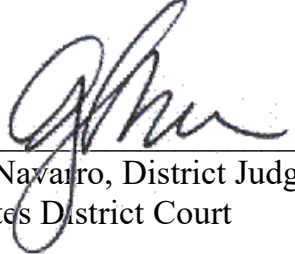
1 Accordingly,

2 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 3), is  
3 **ACCEPTED and ADOPTED** in full.

4 **IT IS FURTHER ORDERED** that Plaintiff's claims for false imprisonment,  
5 kidnapping, and ransom, are **DISMISSED** with prejudice.

6 **IT IS FURTHER ORDERED** that Defendant CCDC is **DISMISSED** with prejudice.

7 Dated this 29 day of March, 2024.

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11 Gloria M. Navarro, District Judge  
12 United States District Court  
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